

3/25/04

I agree with the ARRL petition filed under RM-10867. It goes further than my proposal under RM-10781 and appears to address all of the legal issues as to the exact chapter and sections. It satisfies a major concern that I had that an entry level license contain HF operating privileges so as to expose that class of licensee to international communications and at the same time allow said licensee to participate in volunteer emergency communications services (both RACES and ARES).

With regards to the 5WPM code requirement I can see both sides of the issue. I wonder how the FCC and/or any other organization would deal with the tangle of issues that would surely come as a result of the elimination of the international requirement for testing of Morse code proficiency relative to those applicants for [US] license who have debilitating conditions preventing them from demonstrating Morse code proficiency and how in the light of the Americans with Disabilities Act (ADA), said applicants would be directed, by whom, and what procedure. I can also see the viewpoint that keeping the testing for Morse code proficiency serves to make the licensing structure progressively more challenging and that it is still a viable mode for amateur communications. I think that the FCC commissioners will have to weigh these two issues out and determine which is more important: easy access to all or progressive license structure.

Will the issuance of licenses independent of Morse code testing debilitate the licensee in any aspect of communications allowed by said licensee's privileges? In order for the license holder of any license to participate in Morse code communications it will require proficiency in that mode regardless of any disability. So the question becomes why test for proficiency when [proficiency] is required to operate in that mode effectively. Some may posture that not requiring testing of proficiency in operating Morse code would open the bands to all sorts of poorly trained and thus difficult to communicate with operators. This already happens even with testing. I can remember my first attempts to communicate in this mode. I think I attempted about four times before having a barely successful QSO in Morse code. Without Morse code proficiency people will try and become somewhat proficient before attempting to communicate in the mode and will or will not be successful on the first attempt. This will happen regardless of whether or not there is testing for proficiency. Therefore I don't think it really matters if the FCC keeps the requirement or not. Throwing out the requirement will surely solve the tangle that I spoke of above regarding the ADA compliance.

The power limits proposed for the Novice class license would make it easy for the licensees of this proposed class [of license] to comply with the safe emissions requirements currently in place. Testing for this requirement would become unnecessary for this class of license because the requirements would already be met due to the power limitations proposed.

Please adopt this proposal with the possible exception of Morse code proficiency test requirement for Extra class applicants as soon as possible. It will serve the United States aims for the Amateur Radio Service well into the future.

Respectfully Submitted,
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